

Statement of Michael Jackson Deputy Secretary of Transportation and John
Magaw Under Secretary of Transportation for Security before the Commerce,
Science and Transportation Committee United States Senate

February 5, 2002

Mr. Chairman and Members of the Committee:

We are pleased to appear before you today and wish to thank the Committee for calling this hearing on a matter of critical importance to the Nation-ensuring the security of air travel across the United States and implementing the Aviation and Transportation Security Act.

Introduction

On behalf of Secretary Mineta, we want to assure Congress that the Department of Transportation is making and will continue to make every effort to fulfill each and every deadline contained in the statute enacted on November 19 last year. Your leadership in passing the Aviation and Transportation Security Act-creating the Transportation Security Administration-means that Americans will continue to exercise their right to travel free from the fear of terrorist violence.

As you know, the President has appointed John Magaw to take on the challenging task of establishing TSA and carrying out the mandates of the Act. We wish to thank the Senate for confirming his nomination last week.

In just a few months, TSA will have hired tens of thousands of new employees to screen passengers and baggage at 429 airports nationwide. We will have put in place additional employee background screening tools in the aviation industry. With our public and private sector partners, we will strengthen every mode of transportation based upon comprehensive security assessments.

As part of that effort, Secretary Mineta announced recently that, beginning last month, TSA is working with the State of Maryland to use Baltimore-Washington International Airport as a site to study airport security operations, test TSA deployment techniques and technology, and begin to train senior managers for TSA.

This testimony will address two topics: first, meeting the baggage-screening and other deadlines established by the Act, and second, developing TSA into a functioning agency as rapidly as possible.

1. Deadlines in the Aviation and Transportation Security Act

From the date of enactment, the Secretary has focused our efforts intensively on complying with or exceeding the deadlines established in the new law. As Secretary Mineta has stated, we

consider the law's tight deadlines as promises made to the American people, and we will do everything humanly possible to keep these promises. Secretary Mineta has given those of us in DOT a simple mandate with regard to these deadlines: let's figure out how to meet them, because they are not negotiable. To date, our efforts have been successful.

As you know, we met the "0 day" deadlines--action on Enhanced Class B airspace, qualifications for future screeners, a report on general aviation security, and claims procedures for reimbursement of direct security-related costs for airport operators and certain vendors.

January 18 marked the "60 day" deadline for action. Among the 60-day deadlines, the requirement for 100% screening of checked baggage was the most important and the most challenging. While security considerations prevent us from discussing details of the comprehensive baggage-checking measures in a public forum, let me say that the approach contemplated in the Act--employing a combination of explosive detection equipment and alternative techniques as set forth in that provision by Congress--has been adopted.

We are continuing to work with the airlines to take the necessary action to meet the bag-checking requirement, using the full menu of options provided for in the law. Passengers, airline staff, and current screeners have already experienced changes as a result. We will have overlapping, mutually reinforcing layers of security, some of which are visible, like screening stations, while others remain unseen, like intelligence, undercover work and state-of-the-art technology tools.

Explosive detection equipment is a vital part of our baggage-checking program. Every available explosive detection machine will be used to its maximum capacity. Where we do not yet have such equipment in place, we will use other options outlined in the law. On originating flights, checked baggage will be matched to passengers on board. Computers will screen passengers, and passengers will be screened for weapons--often multiple times. In addition, more bags will also be subject to sniffing by trained dogs, to more comprehensive screening by both explosive-detection and explosive trace detection devices, to manual searches, or to a combination of those techniques.

We will work to meet the requirement that each checked bag be screened by explosive detection equipment by the end of this year. Working with a team of consultants, we are looking at a wide variety of innovative approaches using technology, different ways to run the check-in process, and procurement strategies that can get us to that goal.

September 11 taught us that our enemies are willing to die to attack us, and that means that we must successfully screen all baggage and cargo on a passenger flight, not just succeed at

matching bags to passengers. Screening all baggage and cargo through detection technology is therefore among one of our highest priorities.

In addition to the bag screening requirement, there are several other 60-day deadlines that we met:

FAA issued its guidelines for flight crews who face threats onboard an aircraft.

Air carriers began to electronically transmit foreign airline passenger manifests.

We released our screener training plan, which was written with input from leading government and private sector training experts.

We also issued the necessary guidance to implement the new September 11 \$2.50 Passenger Security Fee on airline tickets sold on or after February 1, which will help finance TSA operations.

Early on, Under Secretary Magaw and FAA Administrator Jane Garvey combined the efforts of TSA and FAA Civil Aviation Security staffs to implement our new program of initiatives to meet the 30- and 60-day deadlines. And as of yesterday, the TSA officially assumed responsibility for the personnel and functions of the FAA's Office of Civil Aviation Security.

The enormous contributions of our team of dedicated employees has been the most important factor in our success to date. We also appreciate the input of the Nation's airports, air carriers and aviation industry trade associations; their cooperation was an important factor in our efforts to successfully meet these deadlines.

In concluding this portion of the testimony, we would like to mention the other future deadlines on which the TSA and the Department are most focused. On February 17, just a few days from today, TSA will take over the aviation screening responsibility that has been the airlines' up until now by assuming the airline screening contracts and equipment that provide passenger screening at the Nation's airports. We will implement the charter air carrier security program mandated by Congress. Most significantly, we will also begin to staff TSA with sufficient Federal screeners and other personnel to be able to certify to Congress on November 19 of this year that we have complied with section 110(c) of the Act to carry out all passenger screening with Federal personnel.

This brings us to the second topic, bringing TSA on line.

2. Making the Transportation Security Administration a Functioning Agency

The new TSA is foremost a security agency. We will use all the tools at our disposal--intelligence, regulation, enforcement, inspection, screening and education of carriers, passengers and shippers. Under Secretary Magaw is assembling a seasoned group of managers to assist him in creating the headquarters and field organization and fully staffing it within 10 months. The process itself entails consultation and participation by many outside groups--airlines, airport executives, labor unions, screening companies, airport vendors, airplane and security equipment manufacturers, trade associations and experts of many sorts.

To jumpstart work on critical tasks, we created "Go-Teams," to work intensively on specific tasks, present decision options, and then disband. Some of these have successfully completed their tasks and moved on. At present, we have some 36 Go-Teams launched and operating. They cover a thousand details small and large--from what uniforms the TSA security force will wear, to the procurement, installation and maintenance of explosive detection equipment for 429 airports. In addition, we have teams developing detailed strategies to protect not only passengers, cargo, and people working in and moving through airports, but also physical assets such as aircraft and terminal facilities.

Funding and staffing up this enterprise are enormous challenges. We are relying on the FAA Civil Aviation Security organization, which is now incorporated into TSA, the Secretary's Office of Intelligence and Security, and detailees from throughout the Department to undertake the many procurement, personnel, and provisioning challenges we face. The Secretary has formed a DOT Management Committee that makes assignments, tracks progress, and reports to him on the accomplishment of discrete projects. This process has accounted for our ability to meet the Act's deadlines and to produce the highest quality results.

A great deal of coordination within the Executive Branch is necessary to bring staff and resources online in an expedited manner, and we plan to place heavy reliance on the new Transportation Security Oversight Board composed of cabinet Secretaries and representatives of intelligence and national security groups, in particular the Office of Homeland Security. Unprecedented cooperation by these entities and the Office of Management and Budget on funding issues has already assisted us greatly.

The President's 2003 budget for TSA requests \$4.8 billion, an increase of \$3.6 billion above the level of funds provided directly to TSA in fiscal year 2002 and \$2.5 billion above the amounts appropriated to both TSA and the Federal Aviation Administration. The \$4.8 billion would be funded through a combination of direct appropriations, offsetting collections in the form of the passenger security fee of \$2.50 and an airline charge. The total for the offsetting collections is estimated to be \$2.2 billion. Resource information for the Federal Air Marshal program can be provided in a classified document or

briefing.

TSA's budget has been presented to Congress in a service-oriented manner, rather than by expense type (i.e. operating expense, capital costs, and research). These broad service areas are security operations, law enforcement, intelligence, and security regulation and enforcement, and include headquarters and field resources with administrative, support and management personnel.

We are creating a flat organizational structure at TSA that emphasizes front-line service delivery with well-trained managers and is supported with an array of services deployed from Washington.

One key to our success at airports nationwide will be a core of senior managers, the Federal Security Directors. These FSDs are the strong front-line managers, who will bring federal authority directly to the point of service, the airport. Under Secretary Magaw will select the first FSDs shortly.

Another key to the success of our efforts will be baggage screeners. The Under Secretary is designing a compensation and benefit structure that will help attract the highest quality employees while also developing a fair process that allows us to quickly remove those who neglect their work. Screeners will receive compensation that is substantially higher than what screeners generally now receive and also full Federal benefits, including health insurance and leave and retirement programs. We believe that this compensation and benefit package will have a positive effect on screener retention rates and effectiveness. In addition, we will create a career path and provide other job enhancements for the screener workforce. In December of last year, we announced the qualifications for the new screeners. As required by the Act, these new screeners must meet strict requirements before they are hired and must successfully complete a rigorous training program and pass an exam before they can be deployed.

The TSA is charged with security for all modes of transportation, and a focus on aviation must not slow the TSA's pace in addressing the security needs of other transportation modes. Across every mode, we must continue to develop measures to increase the protection of critical transportation assets, addressing freight as well as passenger transportation. We will maintain a commitment to measure performance relentlessly, building a security organization that provides world-class security, and world-class customer service, to those who travel.

The new security system will be robust and redundant, and we will be relentless in our search for improvements. It is better today than yesterday; and it will be better still tomorrow.

